

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Carla Gregg

Case No.: 15-19475
Judge: KCF
Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- | | | |
|---|--|--|
| <input type="checkbox"/> Original | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required | <input type="checkbox"/> No Discharge Sought |

Date: November 26, 2016

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 1,300 per month to the Chapter 13 Trustee, starting on
December 1, 2016 for approximately 24 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☒ Other sources of funding (describe source, amount and date when funds are available):
followed by \$1,780 a month starting December 2018 for 18 months when car payment ends

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☒ Other information that may be important relating to the payment and length of plan:

\$16,825 paid to date

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ 1,393 to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: SPS and Credit Acceptance (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Thomas J. Orr	Administrative	\$1,200 (subject to a fee application about to be filed)
Willigboro Township	Priority Real Estate Taxes	\$2,500

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Select Portfolio Servicing, Inc.	32 Midfield	\$13,206.31	0	\$13,206.31	\$881.00
Techbiz Solutions, Inc.	22 Montrose	\$34,275.52	0	\$34,275.52	None
Credit Acceptance	2008 Jeep Liberty	\$639.02	0	\$639.02	\$387.00
Credit Acceptance	2008 Jeep Liberty	\$526.00	0	\$526.00	None

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
None							

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
None			

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan
None		

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ _____ to be distributed *pro rata*
- ☒ Not less than 100 percent
- ☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid
None			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
Damaris Bonilla	Residential Lease	Assumed

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
None							

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
None		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
None			

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Administration
- 3) Secured
- 4) Priority followed by unsecured

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: May 19, 2015.

Explain below why the plan is being modified:

to account for an amended secured proof of claim filed by Techbiz Solutions, Inc. on September 2, 2016 for \$34,716.17 which is \$8,738.83 higher than the original claim of \$25,977.34

Explain below how the plan is being modified:

trustee payments increased from \$1,115 per month to \$1,300 per month for 24 months and \$1,780 per month for 18 months to allow for higher proof of claim and also for debtor's counsel fees, subject to an application that is about to be filed

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: November 26, 2016

/s/Thomas J. Orr
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: November 26, 2016

/s/Carla R. Gregg
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Carla R. Gregg
 Debtor

Case No. 15-19475-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 34

Date Rcvd: Nov 28, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 30, 2016.

db +Carla R. Gregg, 22 Montrose Lane, Willingboro, NJ 08046-2804
 cr ++CREDIT ACCEPTANCE CORPORATION, 25505 WEST 12 MILE ROAD, SOUTHFIELD MI 48034-8316
 (address filed with court: Credit Acceptance Corporation, 25505 West 12 Mile Road, Southfield, MI 48034)
 515522262 +Central Credit Services, Inc., 20 Corporate Hills Drive, St. Charles, MO 63301-3749
 515522263 City Select Auto Sales, 4375-A Route 130, Burlington, NJ 08016
 515522264 +Credit Acceptance, Attn: Bankruptcy Dept., 25505 West 12 Mile Road, Suite 3000, Southfield, MI 48034-8331
 515522266 +Damaris Bonilla, 32 Midfield Lane, Willingboro, NJ 08046-2944
 515522267 EOS CCA, 700 Longwater Dr, Norwell, MA 02061-1624
 515522269 +First Premier Bank, PO Box 5524, Sioux Falls, SD 57117-5524
 515522270 GB Collects, LLC, 145 Bradford Drive, West Berlin, NJ 08091-9269
 515522272 +JC Ehrlich Pest Control, 1125 Berkshire Blvd., Suite 150, Reading, PA 19610-1218
 515522274 +Mercantile Adjustment Bureau, PO Box 9054, Williamsville, NY 14231-9054
 515572000 +Midland Credit Management, Inc. as agent for, MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
 515522276 +Mount Laurel Township EMS, Cape Medical Billing, PO Box 670, Cape May Court House, NJ 08210-0670
 515522277 PSE&G, PO Box 14444, New Brunswick, NJ 08906-4444
 515522278 QAR Debt Collection, PO Box 239, Gibbsboro, NJ 08026-0239
 515611546 +Saul B. Walker, 5326 Westminster Avenue, Philadelphia, PA 19131-5012
 515522279 Select Portfolio Servicing, PO Box 65250, Salt Lake City, UT 84165-0250
 515739216 #+Select Portfolio Servicing, Inc., 3815 South West Temple, Salt Lake city, UT 84115-4412
 515522280 +Sklar Law, LLC, 1200 Laurel Oak Road, Suite 102, Voorhees, NJ 08043-4317
 515522281 +Techbiz Solutions, Inc., 1662 E. 24th Street, Brooklyn, NY 11229-2402
 515522282 +Township Of Willingboro, 1 Rev. Dr. M. L. King, Jr. Drive, Willingboro, NJ 08046-2853
 515831167 U.S. Bank N.A., as trustee, on behalf of the hold, Select Portfolio Servicing Inc, POB 65250, Salt Lake City, UT 84165-0250
 515522283 +Verizon Wireless, 455 Duke Drive, Franklin, TN 37067-2701

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Nov 28 2016 22:42:00 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Nov 28 2016 22:41:57 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235

515541408 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Nov 28 2016 22:43:42 American InfoSource LP as agent for, T Mobile/T-Mobile USA Inc, PO Box 248848, Oklahoma City, OK 73124-8848

515641726 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Nov 28 2016 22:43:47 American InfoSource LP as agent for, Verizon, PO Box 248838, Oklahoma City, OK 73124-8838

515631273 +E-mail/Text: bankruptcy@cavps.com Nov 28 2016 22:42:19 Cavalry SPV II, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340

515522265 E-mail/Text: creditonebknotifications@resurgent.com Nov 28 2016 22:41:25 Credit One Bank, P.O. Box 98873, Las Vegas, NV 89193-8873

515522268 E-mail/Text: data_processing@fin-rec.com Nov 28 2016 22:41:46 Financial Recovery Services, Inc., PO Box 385908, Minneapolis, MN 55438-5908

515522271 +E-mail/PDF: gecsed@recoverycorp.com Nov 29 2016 02:07:08 General Electric Capital, 901 Main Avenue, Norwalk, CT 06851-1168

515522273 E-mail/PDF: resurgentbknotifications@resurgent.com Nov 28 2016 22:36:07 LVNV Funding, LLC, PO Box 10497, Greenville, SC 29603-0497

515522275 +E-mail/Text: bankruptcydpt@mcmcg.com Nov 28 2016 22:41:56 Midland Credit Management, 8875 Aero Dr, Suite 200, San Diego, CA 92123-2255

515723496 +E-mail/Text: JCAP_BNC_Notices@jcap.com Nov 28 2016 22:42:11 Premier Bankcard, LLC, c o Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-7999

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr U.S. Bank N.A., as trustee, on behalf of the holde
 515522284 ##+Web Bank, 215 S. State Street, Suite 800, Salt Lake City, UT 84111-2339

TOTALS: 1, * 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 34

Date Rcvd: Nov 28, 2016

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 30, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 26, 2016 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Andrew M. Lubin on behalf of Creditor Select Portfolio Servicing, Inc. as servicing agent for U.S. Bank N.A., as trustee, on behalf of the holders of the J.P. Morgan Mortgage Acquisition Corp. 2006-FRE1 Asset Backed Pass-Through Certifica bkecf@milsteadlaw.com, alubin@milsteadlaw.com
Denise E. Carlson on behalf of Creditor U.S. Bank N.A., et al dcarlon@kmlawgroup.com, bkggroup@kmlawgroup.com
John R. Morton, Jr. on behalf of Creditor Credit Acceptance Corporation mortonlaw.brcraig@verizon.net, donnal@mortoncraig.com/mhazlett@mortoncraig.com
Sean M. O'Brien on behalf of Creditor U.S. Bank N.A., as trustee, on behalf of the holders of the J.P. Morgan Mortgage Acquisition Corp. 2006-FRE1 Asset Backed Pass-Through Certificates, Series 2006-FRE1 sobrien@flwlaw.com
Thomas J Orr on behalf of Debtor Carla R. Gregg tom@torrlaw.com, xerna@aol.com
TOTAL: 7